

OK0783PG0753

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: POCAHONTAS GAS PARTNERSHIP	) VIRGINIA GAS
	) AND OIL BOARD
RELIEF SOUGHT: MODIFICATION OF VGOB ORDER	)
POOLING INTERESTS IN DRILLING	) DOCKET NO.
UNIT NO. W-47, LOCATED IN THE	) 98-1117-0699-01
OAKWOOD COALBED METHANE GAS	) (Modification of VGOB
FIELD I, PURSUANT TO VA. CODE §§	) Order in Docket No.
45.1-361.21 AND 45.1-361.22, FOR	) 98-1117-0699 executed
THE PRODUCTION OF OCCLUDED NATURAL	) 1/21/99 and filed
GAS PRODUCED FROM COALBEDS AND ROCK	) 1/27/99 with the Clerk
STRATA ASSOCIATED THEREWITH herein	) of the Circuit Court
Collectively referred to as	) of Tazewell County, VA
"Coalbed Methane Gas" or "Gas")	) at Deed Book 767, Page
	) 152(herein "Original
LEGAL DESCRIPTION:	) Pooling Order")
	)
DRILLING UNIT NUMBER W-47	)
(hereafter "Subject Drilling Unit")	)
IN THE OAKWOOD COALBED METHANE GAS FIELD I	)
MAIDEN SPRINGS MAGISTERIAL DISTRICT,	)
JEWELL RIDGE QUADRANGLE	)
TAZEWELL COUNTY, VIRGINIA	)
(the "Subject Lands" are more	)
particularly described on Exhibit	)
"A", attached hereto and made a	)
part hereof)	)

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for final hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on July 20, 1999, Dickenson Conference Center, Southwest Virginia Education 4-H Center, Abingdon, Virginia.
2. Appearances: Mark Swartz, Esquire, Swartz & Stump, L.C., appeared for the Applicant. Sandra B. Riggs, Assistant Attorney General, was present to advise the Board.
3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a search of the reasonably available sources to determine the identity and whereabouts of gas and oil owners, coal owners, mineral owners and/or potential owners, i.e., persons identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all coal seams below the Tiller Seam, including the Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas No. 9,

Pocahontas No. 8, Pocahontas No. 7, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 2 and various unnamed coal seams, coalbeds and rock strata associated therewith (hereafter "Subject Formation") in Subject Drilling Unit underlying and comprised of Subject Lands; (2) represented it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code §§ 45.1-361.19 and 45.1-361.22, to notice of the Application filed herein; and (3) that the persons set forth in Exhibit B-3 hereto are persons identified by Applicant through its due diligence who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation, in Subject Drilling Unit underlying and comprised of Subject Lands, who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Drilling Unit are listed on Exhibit E, and conflicting Gas Owners/Claimants who have heretofore entered into royalty split agreements are set forth in Exhibit EE. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Amendments: Exhibit B-3 and Tract Identification Sheets.

5. Dismissals: None.

6. Relief Requested: Applicant requests (1) that pursuant to Va. Code § 45.1-361.22, including the applicable portions of Va. Code § 45.1-361.21, the Board pool all the rights, interests and estates in and to the Gas in Subject Drilling Unit, including the pooling of the interests of the Applicant and of the known and unknown persons named in Exhibit B-3 hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas, produced from or allocated to the Subject Drilling Unit established for the Subject Formation underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "well development and/or operation in the Subject Drilling Unit"), and (2) that the Board designate Pocahontas Gas Partnership as Unit Operator.

7. Relief Granted: The Applicant's requested relief in this cause be and hereby is granted: (1) Pursuant to Va. Code § 45.1-361.21.C.3, Pocahontas Gas Partnership (hereafter "Unit Operator") is designated as the Unit Operator authorized to drill and operate Coalbed Methane Gas well(s) in the Subject Drilling Unit at the locations depicted on the plat attached hereto as Exhibit A, subject to the permit provisions contained in Va. Code § 45.1-361.27 et seq.; to the Oakwood Coalbed Methane Gas Field I Order OGCB 3-90, dated May 18, 1990, as amended; to § 4 VAC 25-150 et seq., Gas and Oil Regulations; and to §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and (2) all the interests and estates in and to the Gas in Subject Drilling Unit, including that of the Applicant and of the known and unknown persons listed on Exhibit B-3, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators,

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devisees, trustees, assigns and successors, both immediate and remote, be and hereby are pooled in the Subject Formation in the Subject Drilling Unit underlying and comprised of the Subject Lands.

<u>Subject Formation</u>	<u>Unit Size</u>	<u>Permitted Well Location(s)</u>	<u>Field and Well Classification</u>	<u>Order Number</u>
All coal-beds and coal seams below the Tiller Seam, including, but not limited to Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas Nos. 9, 8, 7, 6, 5, 4, 3, 2 and various unnamed seams and associated rock strata	Approximately 80-acre square drilling unit	Well CBM-PGP-W47 is to be located in Subject Drilling Unit at the location depicted on the Plat attached hereto as Exhibit A. It is to be drilled to an approximate depth of 2,101 feet pursuant to Permit #4007 issued 11/5/98.	Oakwood Coalbed Gas Field I for Coalbed Methane Gas Produced in advance of mining including Gas from any Additional Well Authorized Pursuant to Va. Code § 45.1-361.20	OGCB 3-90 as amended herein "Oakwood I Field Rules")

For the Subject Drilling Unit  
underlying and comprised of the Subject  
Land referred to as:

Unit Number W-47  
Tazewell County, Virginia

Pursuant to the Oakwood I Field Rules, the Board has adopted the following method for the calculation of production and revenue and allocation of allowable costs for the production of Coalbed Methane Gas.

For Frac Well Gas. - Gas shall be produced from and allocated to only the 80-acre drilling unit in which the well(s) is located according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Drilling Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire 80-acre drilling unit in the manner set forth in the Oakwood I Field Rules.

8. Election and Election Period: In the event any Owner or Claimant named as an owner of Tract 11 in Exhibit B-3 hereto does not reach a voluntary agreement to share in the operation of the well(s) to be located in the Subject Drilling Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address shown below within thirty (30) days from the date this Order is recorded in the county above named. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

9.1 Option 1 - To Participate In The Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named as an owner of Tract 11 in Exhibit B-3 who does not reach a voluntary agreement with the Unit Operator may elect to participate in the well development and operation in the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs of the well development and operation contemplated by this Order for Gas produced pursuant to the Oakwood I Field Rules, including a reasonable supervision fee, of the well development and operation in the Subject Drilling Unit, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed-for-Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Completed-for-Production Cost as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The Completed-for-Production Cost for the Subject Drilling Unit is as follows:

Completed-for-Production Cost: \$237,979.10

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Interest in Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the well development and operation in Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named as an owner of Tract 11 in Exhibit B-3 hereto who does not

reach a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of \$1.00 per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Coalbed Methane Gas produced from any well development and operation covered by this Order multiplied by that person's Division of Interest or proportional share of said production [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person)] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within sixty (60) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, subject to a final legal determination of ownership, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any well development and operation covered hereby and such electing person shall be deemed to and hereby does lease and assign, its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

- 9.3. Option 3 - To Share In The Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the well development and operation in Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a cash bonus consideration under Paragraph 9.2 above, any Gas Owner or Claimant named as an owner of Tract 11in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to share in the well development and operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator") so that the proportionate part of the Completed-for-Production Cost hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Such Carried Well Operator's rights,

interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Unit Operator until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Cost allocable to the interest of such Carried Well Operator. When the Unit Operator recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such well development and operation.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the rights, interests, and claims of such electing person in any well development and operation covered hereby and such electing person shall be deemed to have and hereby does assign its rights, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person named as an owner of Tract 11 in Exhibit B-3 hereto does not reach a voluntary agreement with the Unit Operator and fails to elect within the time, in the manner and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed well development and operation in Subject Drilling Unit and shall be deemed, subject to a final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Unit Operator. Persons who fail to properly elect shall be deemed, subject to a final legal determination of ownership, to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from the Subject Formation underlying Subject Lands.

11. Default By Participating Person: In the event a person named as

an owner of Tract 11 in Exhibit B-3 elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Completed-for-Production Cost as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interest, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any royalties which would become due pursuant to Paragraph 9.2 hereof.

12. Assignment of Interest: In the event a person named as an owner of Tract 11 in Exhibit B-3 is unable to reach a voluntary agreement to share in the operation of the well(s) contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Unit Operator, and such person elects or fails to elect to do other than participate under Paragraph 9.1 above in the development and operation of Subject Formations in Subject Drilling Unit, then subject to a final legal determination of ownership, such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well(s), and other share in production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said election.

13. Unit Operator (or Operator): Pocahontas Gas Partnership be and hereby is designated as Unit Operator authorized to drill and operate the Coalbed Methane Well(s) in Subject Formation in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; the Oakwood Coalbed Gas Field I Order OGCB 3-90, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

Pocahontas Gas Partnership  
P. O. Box 947  
Bluefield, VA 24605  
Phone: (540) 988-1016  
Fax: (540) 988-1055  
Attn: Leslie K. Arrington

14. Commencement of Operations: Unit Operator shall commence or cause

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to commence operations for the drilling of the well(s) within the Subject Drilling Unit within seven hundred thirty (730) days from the date of the Original Pooling Order and shall prosecute the same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums then payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which all well(s) covered by this Order are permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the petition for appeal and the final Order of the Circuit Court shall be excluded in calculating the one year period referred to herein.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the well development and operation in Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are chargeable against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

The Unit Operator represented to the Board that there are unknown or unlocatable Owners/Claimants whose payments are subject to the provisions of Paragraph 16.1 hereof; and, as reflected on Exhibit E hereto, the Unit Operator represented to the Board that there are conflicting Claimants whose payments are subject to the provisions of Paragraph 16.2 hereof, but that certain of said claimants have entered into royalty split agreements which allow the payment of funds which would otherwise be subject to escrow. By the Original Pooling Order, the Board instructed the Escrow Agent named herein to establish an interest-bearing escrow account for the Unit and said agent is instructed to also establish subaccounts for each tract identified on Exhibit E, except as limited by Exhibit EE, (herein "the Escrow Account") and to receive and account to the Board pursuant to its agreement for the escrowed funds hereafter described:

First Virginia Bank-Mt. Empire  
Trust Department  
P. O. Box 1038  
Abingdon, VA 24210  
Telephone: 1-800-382-4585  
Attention: Ms. Debbie Davis

- 16.1. Escrow Provisions For Unknown or Unlocatable Persons: If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into



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the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.

16.2 Escrow Provisions For Conflicting Claimants: If any payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Unit Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board.

17. Special Findings: The Board specifically and specially finds:

17.1. Applicant is a Virginia general partnership composed of Consolidation Coal Company and CONOCO Inc.;

17.2. Pocahontas Gas Partnership is duly authorized to transact business in the Commonwealth of Virginia, is an operator in the Commonwealth of Virginia, and has satisfied the Board's requirements for operations in Virginia;

17.3. Applicant claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing 79.38921 percent of the oil and gas interest and 100 percent of the coal interest in Subject Drilling Unit, and Applicant claims the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Oakwood Unit Number W-47 in Tazewell County, Virginia, which Subject Lands are more particularly described in Exhibit "A";

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- 17.4. Applicant proposes to drill Well CBM-PGP-W47 to an approximate depth of 2,101 feet pursuant to Permit 4007 issued on November 5, 1998, in the Subject Drilling Unit at the location depicted on the plat attached hereto as Exhibit A to develop the pool of Gas in Subject Formations;
- 17.5. To the extent any additional well(s) are required to accommodate mine plans, the cost of any such additional well(s) permitted by the Division of Gas and Oil in accordance with the provisions of Va. Code § 45.1-361.20.C will not be allocated to the Subject Drilling Unit for frac production. Before the Division of Gas and Oil shall act on any application for additional well(s) within Subject Drilling Unit pursuant to Va. Code § 45.1-361.20, the Applicant must file with said Division and this Board: (1) a copy of the mine plan for that portion of any mine which will underlie Subject Drilling Unit; and (2) the projected time by which said mining will commence;
- 17.6. The estimated total production from Subject Drilling Unit is 125 to 550 MMCF. The estimated amount of reserves from the Subject Drilling Unit is 125 to 550 MMCF;
- 17.7. Conflicting Claimants whose interests are subject to the escrow provisions of this Order are listed in Exhibit E, except as modified by Exhibit EE. Set forth in Exhibit B-3 is the name and last known address of each person identified by the Applicant as an Owner or Claimant having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Drilling Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Unit Operator, agreed to voluntarily pool their interests in Subject Drilling Unit for its development and operation or had their interests pooled by the Original Pooling Order. The interests of the Respondents listed in Exhibit B-3 comprise 20.61079 percent of the oil and gas interests and 0 percent of the coal interests in Subject Drilling Unit;
- 17.8. Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in any well covered hereby are those options provided in Paragraph 9 above;
- 17.9. The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in Exhibit B-3 hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of coalbed methane gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

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18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt to each Respondent, if any, pooled by this Order and whose address is known, and if any such party was represented by counsel at these proceedings that a correct copy of this order was also mailed to all such counsel.

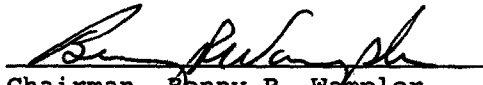
19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

20. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.


21. Appeals: Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court. Such appeals must be taken in the manner prescribed in the Administrative Process Act, Va. Code § 9-6.14:1 et seq. and Rule 2A of the Rules of the Virginia Supreme Court.

22. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 5<sup>th</sup> day of October, 1999, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler  
th

DONE AND PERFORMED this 13 day of October, 1999, by Order of this Board.

  
B. R. Wilson  
Acting Principal Executive To The Staff  
Virginia Gas and Oil Board

DK 0783 PG 0764

STATE OF VIRGINIA )  
COUNTY OF WISE )

Acknowledged on this 5<sup>th</sup> day of October, 1999, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Susan G. Garrett  
Susan G. Garrett  
Notary Public

My commission expires July 31, 2002

STATE OF VIRGINIA )  
COUNTY OF WASHINGTON )

Acknowledged on this 13<sup>th</sup> day of October, 1999, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis  
Diane J. Davis  
Notary Public

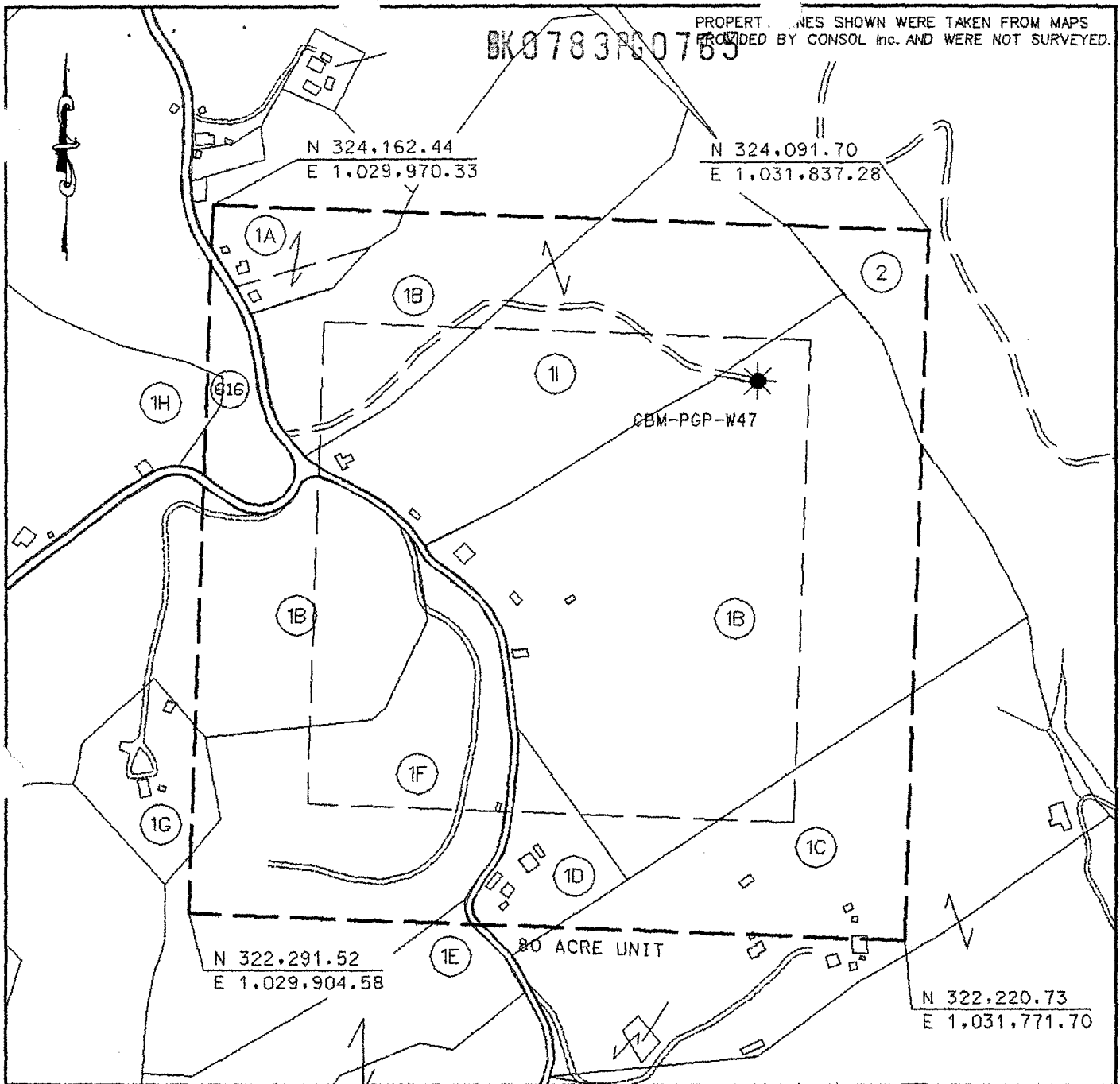
My commission expires September 30, 2001

INSTRUMENT #990005174  
RECORDED IN THE CLERK'S OFFICE OF  
TAZEWELL COUNTY ON  
OCTOBER 14, 1999 AT 11:10AM  
JAMES E. BLEVINS, CLERK

BY: Angela D. Ray (DC)

BK 0783 PG 0763

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS  
PROVIDED BY CONSOL INC. AND WERE NOT SURVEYED.



**LEGEND**

- ↖ TRACT LAND HOOK
- [2] TRACT LAND ID'S

EXHIBIT A  
OAKWOOD FIELD UNIT W-47  
FORCE POOLING  
VGOB-98-1117-0699-01

Company Pocahontas Gas Partnership Well Name and Number UNIT W47  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Jewell Ridge  
 County Tazewell District MAIDEN SPRINGS Scale: 1" = 400' Date 6/9/99  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

*Charles D. Morgan*  
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

**POCAHONTAS GAS PARTNERSHIP****UNIT W-47****Tract Identifications**

- 1A. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
 Consolidation Coal Co. - (Owner P-3 Seam)  
 Coal Lessees  
 Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
 Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
 Pocahontas Gas Partnership - CBM Lessee  
 G. R. Stevenson, heirs - Oil & Gas  
 Dolly Owens - Surface  
 2.12 acres 2.65000%
- 1B. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
 Consolidation Coal Co. - (Owner P-3 Seam)  
 Coal Lessees  
 Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
 Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
 Pocahontas Gas Partnership - Oil & Gas Lessee  
 Pocahontas Gas Partnership - CBM Lessee  
 Larry Keen - Surface, Oil & Gas  
 42.94 acres 53.36750%
- 1C. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
 Consolidation Coal Co. - (Owner P-3 Seam)  
 Coal Lessees  
 Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
 Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
 Pocahontas Gas Partnership - CBM Lessee  
 Lennie Perkins - Surface, Oil & Gas  
 6.78 acres 8.47500%
- 1D. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
 Consolidation Coal Co. - (Owner P-3 Seam)  
 Coal Lessees  
 Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
 Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
 Pocahontas Gas Partnership - CBM Lessee  
 William Roberts - Surface, Oil & Gas  
 2.50 acres 3.12500%
- 1E. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
 Consolidation Coal Co. - (Owner P-3 Seam)  
 Coal Lessees  
 Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
 Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
 Pocahontas Gas Partnership - CBM Lessee  
 Rickie Kinder - Surface, Oil & Gas  
 0.07 acres 0.08750%

BK0783PG0767

## POCAHONTAS GAS PARTNERSHIP

### UNIT W-47

#### Tract Identifications

- 1F. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
Consolidation Coal Co. - (Owner P-3 Seam)  
Coal Lessees  
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
Pocahontas Gas Partnership - CBM Lessee  
Betty E. Roberts et al - Surface, Oil & Gas  
10.80 acres 13.50000%
- 1G. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
Consolidation Coal Co. - (Owner P-3 Seam)  
Coal Lessees  
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
Millard Horne - Surface, Oil & Gas  
0.31 acres 0.38750%
- 1H. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
Consolidation Coal Co. - (Owner P-3 Seam)  
Coal Lessees  
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
Pocahontas Gas Partnership - CBM Lessee  
Roger Brown - Surface, Oil & Gas  
0.07 acres 0.08750%
- 1I. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)  
Consolidation Coal Co. - (Owner P-3 Seam)  
Coal Lessees  
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
Pocahontas Gas Partnership - CBM Lessee  
Frank Smith Heirs - Oil & Gas  
Larry Keen - Surface  
12.44 acres 15.55000%
2. Southern Region Industrial Realty Corp. Et al. Tr. 1 - Fee - (except P-3 seam)  
Reserve Coal Properties - (Owner P-3 Seam)  
Coal Lessees  
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard  
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
1.97 acres 4.46250%

BK0783PG0768

Exhibit B-3  
Unit W-47Docket No. VGOB-98-1117-0699-01  
List of Unleased Owners/Claimants

06/11/99

Net Acres  
In UnitInterest In  
Unit**I. OIL & GAS FEE OWNERSHIP****TRACT #1A - 2.12 acres**

(1) G. R. Stevenson Heirs

(a) G. R. Stevenson Heirs, Devisees,  
Successors or Assigns  
Address Unknown0.3029 acres  
1/7 of 2.12 acres

0.37857%

**TRACT #1E - 0.07 acres**(1) Rickie Kinder, Trustee  
HC 63, Box 208D  
Jewell Ridge, VA 24622

0.07 acres

0.08750%

**TRACT #1F - 10.80 acres**

(1) Rebecca Roberts heirs

(a) Rebecca Roberts heirs, devisees  
Successors or Assigns  
Address Unknown3.60 acres  
1/3 of 10.80 acres

4.50000%

**TRACT #1I - 12.44 acres**(1) Frank Smith Heirs, Devisees,  
Successors or Assigns  
Address unknown(b) Joe Smith Heirs, Devisees,  
Successors or Assigns  
Address unknown1.7771 acres  
1/7 of 12.44 acres

2.22143%

(c) William Lilburn Smith Heirs, Devisees,  
Successors or Assigns  
Address unknown(2) Bertha Elizabeth Taylor Heir, Devisees  
Successors or Assigns  
Address unknown(a) Garland Eugene Taylor Heir, Devisees  
Successors or Assigns  
Address unknown0.0370 acres  
1/336 of 12.44 acres

0.04628%

(b) Thelma Gertude Cawley  
34424 Euclid Ave. Lot 222  
Willoughby, OH 440940.0370 acres  
1/336 of 12.44 acres

0.04628%

(c) Virginia Jaunita Jones  
Address unknown0.0370 acres  
1/336 of 12.44 acres

0.04628%

(d) Edward Lawrence Taylor Heir, Devisees  
Successors or Assigns  
Address unknown0.0370 acres  
1/336 of 12.44 acres

0.04628%



BK 0783PG0769

Exhibit B-3  
Unit W-47  
Docket No. VGOB-98-1117-0699-01  
List of Unleased Owners/Claimants

06/11/99	Net Acres in Unit	Interest in Unit
(e) Lloyd Grant Taylor P. O. Box 163 Piney View, WV 25906	0.0370 acres 1/336 of 12.44 acres	0.04628%
(f) Roger Dean Taylor 284 Shannontown Road Beckley, WV 25801-9272	0.0370 acres 1/336 of 12.44 acres	0.04628%
(3) Grace Minnie Dye Heir, Devisees Successors or Assigns Address unknown		
(a) Stanley Ralph Dye 1308 Terry Lane Hixon, TX 37343	0.0317 acres 1/392 of 12.44 acres	0.03967%
(b) Raymond Dye, Jr. Heirs, Devisees Successors or Assigns Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(c) Earl Lee Dye Heirs, Devisees Successors or Assigns Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(d) Shirley Blanche Ervin Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(e) Robert Louis Dye 755 Lincoln Road Deland, FL 32724	0.0317 acres 1/392 of 12.44 acres	0.03967%
(f) Kermit Allen Dye Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(g) Ronald Dye 3557 McIntosh Drive Kingsport, TN 37663	0.0317 acres 1/392 of 12.44 acres	0.03967%
(4) Walker Cleveland Smith Heir, Devisees Successors or Assigns Address unknown		
(b) Donna Mae Selix Koelpien Heir, Devisees Successors or Assigns Address unknown	0.0278 acres 1/448 of 12.44 acres	0.03471%
(c) Daisy Dean McFarland Heir, Devisees Successors or Assigns Address unknown	0.0278 acres 1/448 of 12.44 acres	0.03471%
(d) William Lilburn Smith 506 W. Cumberland Road Blurfield, WV 24701	0.0278 acres 1/448 of 12.44 acres	0.03471%
(e) Peggy Viola Cornwell Rt. 2, Box 507 North Tazewell, VA 24630	0.0278 acres 1/448 of 12.44 acres	0.03471%

BK0783PG0770

Exhibit B-3  
Unit W-47  
Docket No. VGOB-98-1117-0699-01  
List of Unleased Owners/Claimants

06/11/99		Net Acres In Unit	Interest In Unit
	(f) James Alvin Smith Rt. 2, Box 101 North Tazewell, VA 24630	0.0278 acres 1/448 of 12.44 acres	0.03471%
	(g) Roy Rogers Smith 3313 North Lake Park Ave. Hobart, IN 46342	0.0278 acres 1/448 of 12.44 acres	0.03471%
	(h) Carl Wayne Smith Address unknown	0.0278 acres 1/448 of 12.44 acres	0.03471%
	(5) Frank Whitten Smith Heir, Devisees Successors or Assigns Address unknown	0.2221 acres 1/56 of 12.44 acres	0.27768%
	(a) Franklin Smith 1602 Reliance Road Reliance, VA 22649		
	(b) Norma Jean Akers Mobile Estates Bluefield, VA 24605		
	(6) Arman Leonard Smith Heir, Devisees Successors or Assigns Address unknown		
	(a) Arman Leonard Smith, Jr. Rt. 5, Box 266 North Tazewell, VA 24630	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(b) Roy Lee Smith 819 Oakland Drive Princeton, WV 24740	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(c) Clayton Carol Smith Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(d) Troy Dale Smith P. O. Box 173 Pocahontas, VA 24635	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(e) Karen Marshall Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(f) Geneva Tolbert Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(7) Bernard F Akers Bishop, VA	0.2221 acres 1/56 of 12.44 acres	0.27768%
	(8) Harlan Hunter Smith Heirs, Devisees Successors or Assigns Address unknown		
	(a) Geneva Lilly Smith Adams 128 Wimbeck Drive Kingsport, TN 37664	Life Estate	

BK 0783PG0771

Exhibit B-3  
Unit W-47Docket No. VGOB-98-1117-0699-01  
List of Unleased Owners/Claimants

06/11/99	Net Acres in Unit	Interest in Unit
(b) Harlan Hunter Smith, Jr. Rt. 1, Box 129-I Cache, OK 73527	0.1111 acres 1/112 of 12.44 acres	0.13884%
(c) Gary Harlan Smith 127 Bordeaux Court Smyrna, TN 37167-4606	0.1111 acres 1/112 of 12.44 acres	0.13884%
(d) Albert Smith Heirs, Devisees, Successors or Assigns Address unknown	1.7771 acres 1/7 of 12.44 acres	2.22143%
(e) Larry Keen HC 63, Box 211 Jewell Ridge, VA 24622	1.7771 acres 1/7 of 12.44 acres	2.22143%
(f) Gennie Ellen Kinder Heirs, Devisees, Successors or Assigns Address unknown		
(2) Paul Howard Kinder Heirs, Devisees, Successors or Assigns Address unknown		
(b) Judy K. Boyd Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(c) Paul R. Kinder Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(d) Ella Sue Boyd Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(e) Linda Lou Whitt Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(h) Virginia Pauline Taylor Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(i) Alice Faye Kinder Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(3) Edgar Allenworth Successors or Assigns Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(4) Edith Shortt Successors or Assigns Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(5) Nora Ward Successors or Assigns Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(6) Helen Smith Successors or Assigns Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%

BK0783PG0772

Exhibit B-3  
Unit W-47  
Docket No. VGOB-98-1117-0699-01  
List of Unleased Owners/Claimants

06/11/99		Net Acres In Unit	Interest in Unit
(7)	Ethyl & John Whitt 1941 E. Overdrive South Boston, VA 24592	0.1975 acres 1/63 of 12.44 acres	0.24683%
(9)	Arch Kinder Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(g)	Ida Florence Vencil Heirs, Devisees, Successors or Assigns Address unknown		
(1)	Myrtle Mae Elswick Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(2)	Floyd Sherman Vencil Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(3)	Minnie Elen Coleman Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(4)	Bertha Wells Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(5)	Dora Doughten Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(6)	Pearl Marie Vencill Hicks Heirs, Devisees, Successors or Assigns Address unknown		
(a)	Roy Mitchell Hicks, Jr. Heirs, Devisees, Successors or Assigns Address unknown		
(1)	Roy Mitchell Hicks III Heirs, Devisees, 8920 South Genito Road Jetersville, VA 23083	0.0093 acres 1/1344 of 12.44 acres	0.01157%
(2)	Theresa L. Coleman P. O. Box 143 Jetersville, VA 23083	0.0093 acres 1/1344 of 12.44 acres	0.01157%
(b)	Kenneth Lee Hicks 7986 Willow Avenue Mechanicsville, VA 23111	0.0370 acres 1/336 of 12.44 acres	0.04628%
(7)	Herman Vencill 11 South Holly Avenue Highland Springs, VA 23075	0.1481 acres 1/84 of 12.44 acres	0.18512%
(10)	James Albert Vencill 223 Beaver Dam Trail Mechanicsville, VA 23116	0.1481 acres 1/84 of 12.44 acres	0.18512%

Docket No. VGOB-98-1117-0699-01  
List of Conflicting Owners/Claimants that require escrow

06/11/99	Net Acres In Unit	Interest in Unit
<b><u>TRACT #1A - 2.12 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.3029 acres	0.37863%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(b) G. R. Stevenson Heirs, Devisees, Successors or Assigns Address Unknown	0.3029 acres 1/7 of 2.12 acres	0.37857%
<b><u>TRACT #1C - 6.78 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	6.78 acres	8.47500%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Lennie Perkins HC 63, Box 214 Jewell Ridge, VA 24622	6.78 acres	8.47500%
<b><u>TRACT #1D - 2.50 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	2.50 acres	3.12500%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) William D. Roberts HC 63, Box 212 Jewell Ridge, VA 24622	2.50 acres	3.12500%
<b><u>TRACT #1E - 0.07 acres</u></b>		

BK0783PG0774

Exhibit E  
Unit W-47Docket No. VGOB-98-1117-0699-01  
List of Conflicting Owners/Claimants that require escrow

06/11/99	Net Acres In Unit	Interest in Unit
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.07 acres	0.08750%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Rickie Kinder, Trustee HC 63, Box 208D Jewell Ridge, VA 24622	0.07 acres	0.08750%
<b><u>TRACT #1F - 10.80 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	3.60 acres	4.50000%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(b) Rebecca Roberts heirs, devisees Successors or Assigns Address Unknown	3.60 acres 1/3 of 10.80 acres	4.50000%
<b><u>TRACT #1G - 0.31 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.31 acres	0.38750%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Millard Horne Star Route 1, Box 209A Jewell Ridge, VA 24622	0.31 acres	0.38750%
<b><u>TRACT #1H - 0.07 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		

Docket No. VGOB-98-1117-0699-01  
List of Conflicting Owners/Claimants that require escrow

06/11/99		Net Acres In Unit	Interest In Unit
	(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.07 acres	0.08750%
	(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
	<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
	(1) Roger Brown P. O. Box 100 Richlands, VA 24641	0.07 acres	0.08750%
	<b><u>TRACT #11 - 12.44 acres</u></b>		
	<b><u>COAL FEE OWNERSHIP</u></b>		
	(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	8.10 acres	10.12500%
	(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
	<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
	(b) Joe Smith Heirs, Devisees, Successors or Assigns Address unknown	1.7771 acres 1/7 of 12.44 acres	2.22143%
	(c) William Lilburn Smith Heirs, Devisees, Successors or Assigns Address unknown		
	(1) William Warner Smith Rt. 2, Box 552 North Tazewell, VA 24630	0.2221 acres 1/56 of 12.44 acres	0.27768%
	(2) Bertha Elizabeth Taylor Heir, Devisees Successors or Assigns Address unknown		
	(a) Garland Eugene Taylor Heir, Devisees Successors or Assigns Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(b) Thelma Gertude Cawley 34424 Euclid Ave. Lot 222 Willoughby, OH 44094	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(c) Virginia Jaunita Jones Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
	(d) Edward Lawrence Taylor Heir, Devisees Successors or Assigns	0.0370 acres 1/336 of 12.44 acres	0.04628%

Docket No. VGOB-98-1117-0699-01  
List of Conflicting Owners/Claimants that require escrow

06/11/99	Net Acres in Unit	Interest in Unit
Address unknown		
(e) Lloyd Grant Taylor P. O. Box 163 Piney View, WV 25906	0.0370 acres 1/336 of 12.44 acres	0.04628%
(f) Roger Dean Taylor 284 Shannontown Road Beckley, WV 25801-9272	0.0370 acres 1/336 of 12.44 acres	0.04628%
(3) Grace Minnie Dye Heir, Devisees Successors or Assigns Address unknown		
(a) Stanley Ralph Dye 1308 Terry Lane Hixon, TX 37343	0.0317 acres 1/392 of 12.44 acres	0.03967%
(b) Raymond Dye, Jr. Heirs, Devisees Successors or Assigns Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(c) Earl Lee Dye Heirs, Devisees Successors or Assigns Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(d) Shirley Blanche Ervin Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(e) Robert Louis Dye 755 Lincoln Road Deland, FL 32724	0.0317 acres 1/392 of 12.44 acres	0.03967%
(f) Kermit Allen Dye Address unknown	0.0317 acres 1/392 of 12.44 acres	0.03967%
(g) Ronald Dye 3557 McIntosh Drive Kingsport, TN 37663	0.0317 acres 1/392 of 12.44 acres	0.03967%
(4) Walker Cleveland Smith Heir, Devisees Successors or Assigns Address unknown		
(a) Walker Cleveland Smith, Jr. Rt. 2, Box 320 Blurfield, VA 24605	0.0278 acres 1/448 of 12.44 acres	0.03471%
(b) Donna Mae Selix Koelpien Heir, Devisees Successors or Assigns Address unknown	0.0278 acres 1/448 of 12.44 acres	0.03471%
(c) Daisy Dean McFarland Heir, Devisees Successors or Assigns Address unknown	0.0278 acres 1/448 of 12.44 acres	0.03471%
(d) William Lilburn Smith 506 W. Cumberland Road Blurfield, WV 24701	0.0278 acres 1/448 of 12.44 acres	0.03471%



Docket No. VGOB-98-1117-0699-01  
List of Conflicting Owners/Claimants that require escrow

06/11/99	Net Acres In Unit	Interest In Unit
(e) Peggy Viola Cornwell Rt. 2, Box 507 North Tazewell, VA 24630	0.0278 acres 1/448 of 12.44 acres	0.03471%
(f) James Alvin Smith Rt. 2, Box 101 North Tazewell, VA 24630	0.0278 acres 1/448 of 12.44 acres	0.03471%
(g) Roy Rogers Smith 3313 North Lake Park Ave. Hobart, IN 46342	0.0278 acres 1/448 of 12.44 acres	0.03471%
(h) Carl Wayne Smith Address unknown	0.0278 acres 1/448 of 12.44 acres	0.03471%
(5) Frank Whitten Smith Heir, Devisees Successors or Assigns Address unknown	0.2221 acres 1/56 of 12.44 acres	0.27768%
(a) Franklin Smith 1602 Reliance Road Reliance, VA 22649		
(b) Norma Jean Akers Mobile Estates Bluefield, VA 24605		
(6) Arman Leonard Smith Heir, Devisees Successors or Assigns Address unknown		
(a) Arman Leonard Smith, Jr. Rt. 5, Box 266 North Tazewell, VA 24630	0.0370 acres 1/336 of 12.44 acres	0.04628%
(b) Roy Lee Smith 819 Oakland Drive Princeton, WV 24740	0.0370 acres 1/336 of 12.44 acres	0.04628%
(c) Clayton Carol Smith Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
(d) Troy Dale Smith P. O. Box 173 Pocahontas, VA 24635	0.0370 acres 1/336 of 12.44 acres	0.04628%
(e) Karen Marshall Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
(f) Geneva Tolbert Address unknown	0.0370 acres 1/336 of 12.44 acres	0.04628%
(7) Bernard F Akers Bishop, VA	0.2221 acres 1/56 of 12.44 acres	0.27768%
(8) Harlan Hunter Smith Heirs, Devisees Successors or Assigns		

## List of Conflicting Owners/Claimants that require escrow

06/11/99	Net Acres in Unit	Interest in Unit
Address unknown		
(a) Geneva Lilly Smith Adams 128 Wimbeck Drive Kingsport, TN 37664	Life Estate	
(b) Harlan Hunter Smith, Jr. Rt. 1, Box 129-I Cache, OK 73527	0.1111 acres 1/112 of 12.44 acres	0.13884%
(c) Gary Harlan Smith 127 Bordeaux Court Smyrna, TN 37167-4606	0.1111 acres 1/112 of 12.44 acres	0.13884%
(d) Albert Smith Heirs, Devisees, Successors or Assigns Address unknown	1.7771 acres 1/7 of 12.44 acres	2.22143%
(f) Gennie Ellen Kinder Heirs, Devisees, Successors or Assigns Address unknown		
(1) Lucy Christian Box 198 Jewell Ridge, VA 24622	0.1975 acres 1/63 of 12.44 acres	0.24683%
(2) Paul Howard Kinder Heirs, Devisees, Successors or Assigns Address unknown		
(b) Judy K. Boyd Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(c) Paul R. Kinder Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(d) Ella Sue Boyd Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(e) Linda Lou Whitt Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(h) Virginia Pauline Taylor Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(i) Alice Faye Kinder Address unknown	0.0165 acres 1/756 of 12.44 acres	0.02057%
(3) Edgar Allenworth Successors or Assigns Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(4) Edith Shortt Successors or Assigns Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(5) Nora Ward Successors or Assigns	0.1975 acres 1/63 of 12.44 acres	0.24683%

Docket No. VGOB-98-1117-0699-01  
List of Conflicting Owners/Claimants that require escrow

06/11/99	Net Acres in Unit	Interest in Unit
Address unknown		
(6) Helen Smith Successors or Assigns Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(7) Ethyl & John Whitt 1941 E. Overdrive South Boston, VA 24592	0.1975 acres 1/63 of 12.44 acres	0.24683%
(9) Arch Kinder Address unknown	0.1975 acres 1/63 of 12.44 acres	0.24683%
(g) Ida Florence Vencil Heirs, Devisees, Successors or Assigns Address unknown		
(1) Myrtle Mae Elswick Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(2) Floyd Sherman Vencil Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(3) Minnie Elen Coleman Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(4) Bertha Wells Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(5) Dora Doughten Heirs, Devisees, Successors or Assigns Address unknown	0.1481 acres 1/84 of 12.44 acres	0.18512%
(6) Pearl Marie Vencill Hicks Heirs, Devisees, Successors or Assigns Address unknown		
(a) Roy Mitchell Hicks, Jr. Heirs, Devisees, Successors or Assigns Address unknown		
(1) Roy Mitchell Hicks III Heirs, Devisees, 8920 South Genito Road Jetersville, VA 23083	0.0093 acres 1/1344 of 12.44 acres	0.01157%
(2) Theresa L. Coleman P. O. Box 143 Jetersville, VA 23083	0.0093 acres 1/1344 of 12.44 acres	0.01157%
(3) Tammy Rhoton 18620 West Pridesville Rd. Amelia, VA 23002	0.0093 acres 1/1344 of 12.44 acres	0.01157%
(b) Kenneth Lee Hicks 7986 Willow Avenue	0.0370 acres 1/336 of 12.44 acres	0.04628%

Docket No. VGOB-98-1117-0699-01  
List of Conflicting Owners/Claimants that require escrow

06/11/99	Net Acres in Unit	Interest in Unit
Mechanicsville, VA 23111		
(c) Linda Sue Tomlin 2981 Smoky Road Aylett, VA 23009	0.0370 acres 1/336 of 12.44 acres	0.04628%
(7) Herman Vencill 11 South Holly Avenue Highland Springs, VA 23075	0.1481 acres 1/84 of 12.44 acres	0.18512%
(9) Ralph Vencill 4150 Reger Road Conneaut, OH 44030	0.1481 acres 1/84 of 12.44 acres	0.18512%
(10) James Albert Vencill 223 Beaver Dam Trail Mechanicsville, VA 23116	0.1481 acres 1/84 of 12.44 acres	0.18512%
	8.10	

BK 0.783PG0781

Exhibit EE  
Unit W-47

Docket No. VGOB-98-1117-0699-01

## List of Conflicting Owners/Claimants with royalty split agreements

06/11/99	Net Acres in Unit	Interest in Unit
<b><u>TRACT #1A - 2.12 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	1.8171 acres	2.27138%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(a) James E. Stevenson 3083 Wagon Trail Flint, MI 48507	1.8171 acres 6/7 of 2.12 acres	2.27143%
<b><u>TRACT #1B - 42.94 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	42.94 acres	53.67500%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Larry Keen HC-63, Box 211 Jewell Ridge, VA 24622	42.94 acres	53.67500%
<b><u>TRACT #1F - 10.80 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	7.20 acres	9.00000%
(2) Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(a) Betty E. Roberts P. O. Box 75 Jewell Ridge, VA 24622	7.20 acres 2/3 of 10.80 acres	9.00000%

## List of Conflicting Owners/Claimants with royalty split agreements

		Net Acres in Unit	Interest in Unit
<u>06/11/99</u>			
<b><u>TRACT #1 - 12.44 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1)	Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	4.33 acres	5.41250%
(2)	Reserve Coal Properties (P-3 Seam Owner) P. O. Box 947 Bluefield, VA 24605		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(a)	Lloyd Smith 99 Shannon Heights Richlands, VA 24641	1.7771 acres 1/7 of 12.44 acres	2.22143%
(e)	Larry Keen HC 63, Box 211 Jewell Ridge, VA 24622	1.7771 acres 1/7 of 12.44 acres	2.22143%
(a)	Evelyn Kinder HC 63, Box 207 Jewell Ridge, VA 24622	0.0658 acres 1/189 of 12.44 acres	0.08228%
(f)	Carl Douglas Kinder HC 63, Box 207-A Jewell Ridge, VA 24622	0.0165 acres 1/756 of 12.44 acres	0.02057%
(g)	Barbara Jeanette Johnson HC 63, Box 207-B Jewell Ridge, VA 24622	0.0165 acres 1/756 of 12.44 acres	0.02057%
(8)	Henley Kinder HC 63, Box 208-C Jewell Ridge, VA 24622	0.1975 acres 1/63 of 12.44 acres	0.24683%
(d)	Thelma Anne Powers P. O. Box 278 Bishop, VA 24604	0.0370 acres 1/336 of 12.44 acres	0.04628%
(8)	Homer M. Vencill 690 Virginia Avenue Richlands, VA 24641	0.1481 acres 1/84 of 12.44 acres	0.18512%
(11)	Altie Irene Helton Rt. 2, Box 344 Cedar Bluff, VA	0.1481 acres 1/84 of 12.44 acres	0.18512%
(12)	Bethel Arnold Rt. 1, Box 50 Pounding Mill, VA	0.1481 acres 1/84 of 12.44 acres	0.18512%